

ATTACHMENT 1

DECLARATION OF DAVID PAULUS

David Paulus, under penalty of perjury, declares as follows:

1. I am President of Tidewater Communications, Inc., licensee of Stations WJOI, WNOR, Norfolk, and WAFX, Suffolk, Virginia.
2. On July 15, 2002, I traveled to Belle Haven, Virginia, the community to which Commonwealth Broadcasting, LLC, and Sinclair Telecable d/b/a Sinclair Communications have proposed that the Commission allot FM Channel 291B.
3. Belle Haven is a very, very, very small community about 90 minutes from Norfolk on the Eastern shore. The town has very few people living in it. I visited the tiny post office (See Photo No. 1 attached) and drove through the area within city limit signs. I saw only four apparently functioning businesses excluding the post office and a church within the city limits. They were an insurance agency, a general store, a fuel company, and a movie theatre. I stopped into the insurance company on the "main street" and they directed us to the "mayor's place," that also serves as a fuel company. (See attached Photos No. 2, 3, and 4 of the general store, theatre, and insurance agency).
4. The occupants of the insurance agency told me that there is no functioning police department for the city, nor fire department, and no city hall. The mayor was not available at the fuel company, but a woman at the desk directed me to the Chamber of Commerce for the entire eastern shore, in Melfa, Virginia, which was about 10 miles up the road, (not in the Belle Haven city limits). A woman at the Chamber of Commerce said they have no information of the city of Belle Haven to distribute, and that "no-one ever asks about information for that city." Her best guess as to population for Belle Haven was around 250-300 people.
5. I also monitored a radio station on 90.7 MHz, which is the frequency occupied by WAZP, Cape Charles, Virginia. I did not hear the call sign while I monitored it, but I was without question monitoring 90.7. It broadcasts Christian music, with a completely satellite format. Other than the top of the hour identifier, there was no local reference during the 2 hours I monitored the station.
6. Poquoson is a small community about 25-35 minutes from Chesapeake. It is off of Oyster Point Road and I-64, before you get to the Newport News-Williamsburg airport. To get to the community, you must pass through the cities of Hampton and Newport News, Virginia. The city has a fully functioning city government, as well as a weekly newspaper called the "Yorktown Crier/The Poquoson Post, that is actually published in Yorktown. I spoke to various people within the community, including the city manager's office, who told us that most people who live in Poquoson, do NOT work within that city. They work at NASA Langley or the Newport News Shipyard, which are both outside the city limits. There is no question in my mind that while Poquoson is a nice little city, it is FAR from a "stand alone" city and without the support and jobs from the surrounding Hampton Roads cities, could not function on its own. In my opinion, there is no significant economic base in Poquoson on which a local radio station could depend for advertising.

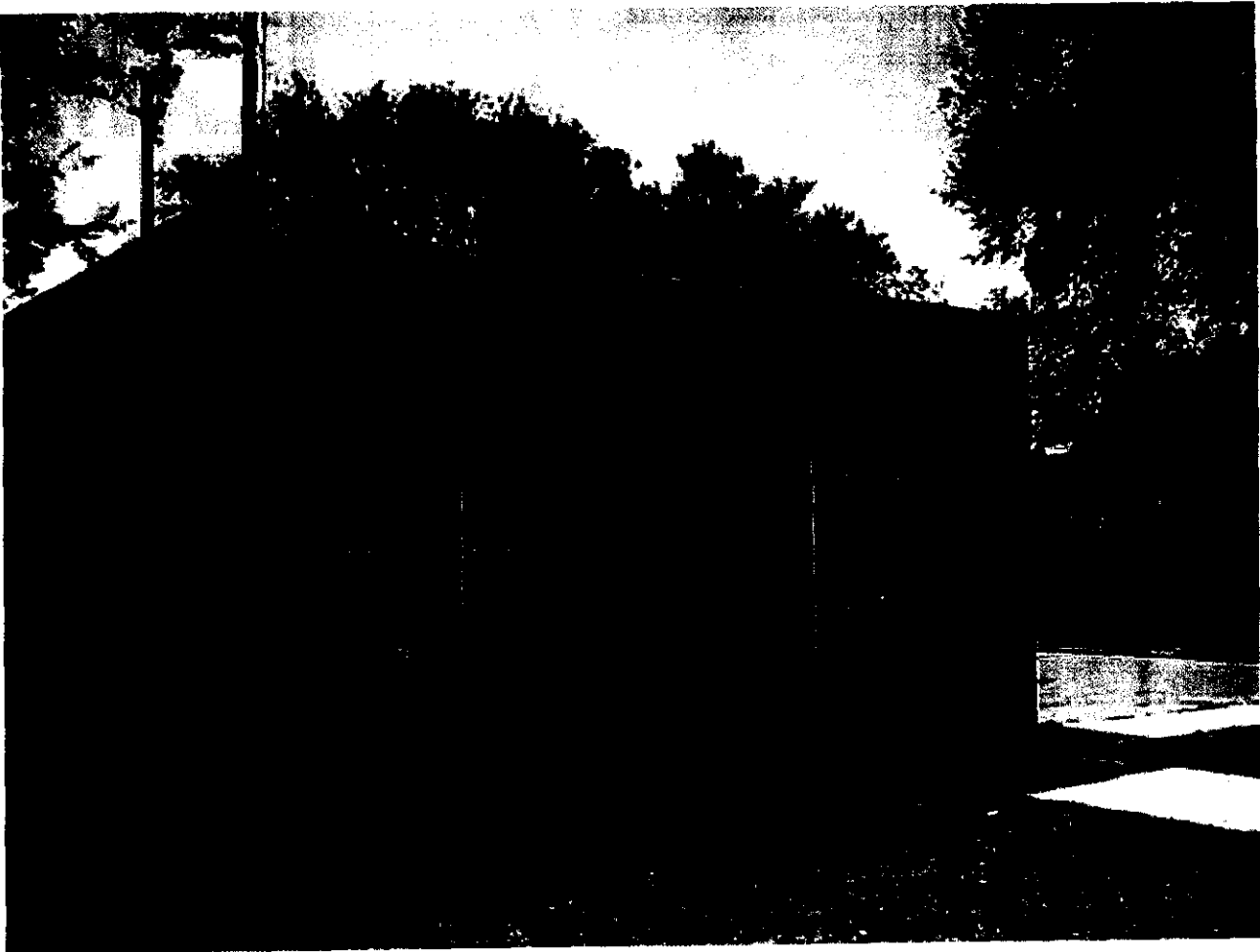
Executed this 16th day of July, 2002.



David Paulus

ATTACHMENT 1:
Declaration of David Paulus

PHOTOGRAPH NO. 1
“Post Office”



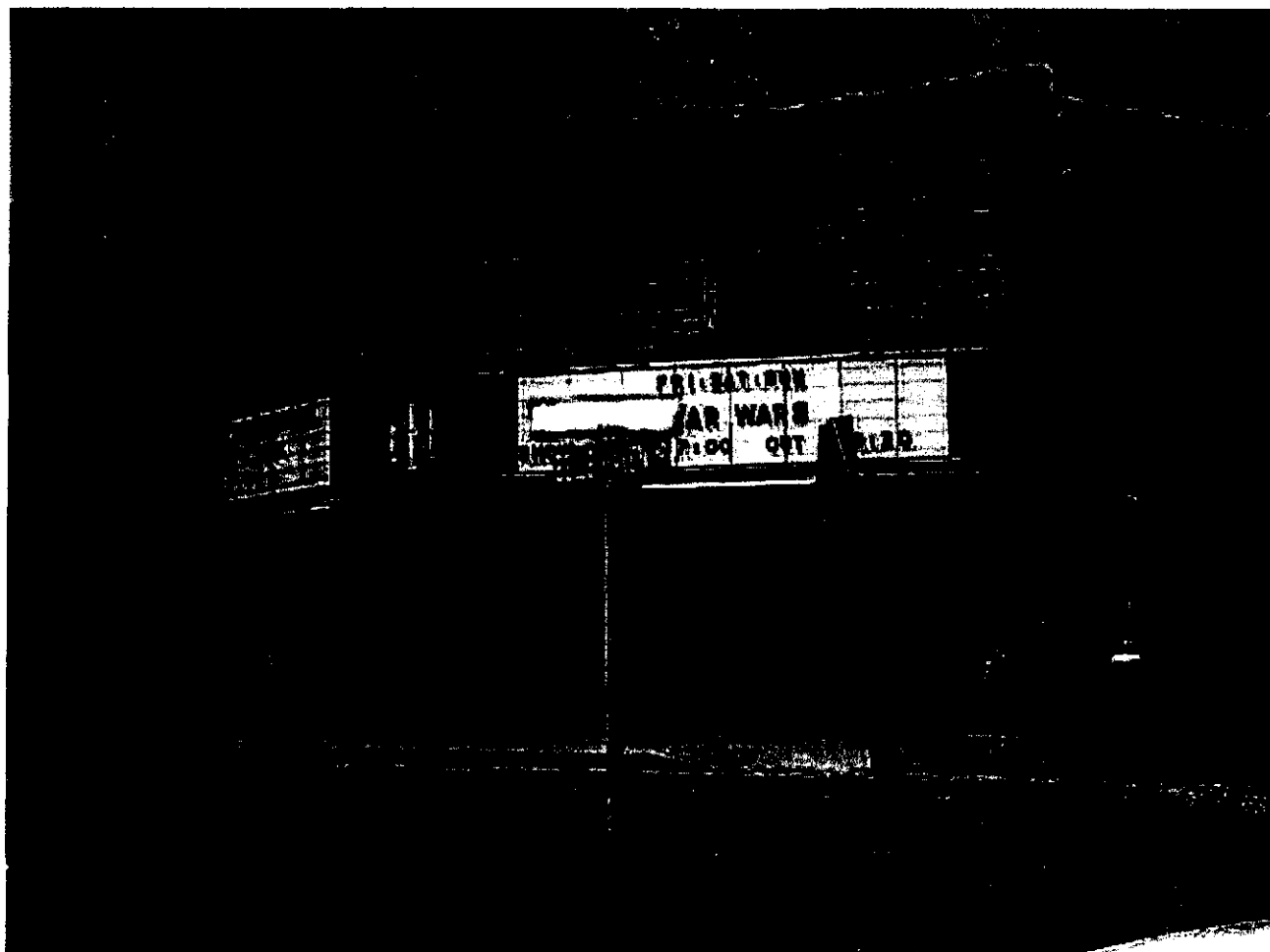
ATTACHMENT 1:
Declaration of David Paulus

PHOTOGRAPH NO. 2
“General Store”



ATTACHMENT 1:
Declaration of David Paulus

PHOTOGRAPH NO. 3
“Theatre”



ATTACHMENT 1:
Declaration of David Paulus

PHOTOGRAPH NO. 4
“Insurance Agency”



ATTACHMENT 2

TECHNICAL EXHIBIT IN SUPPORT OF: REPLY COMMENTS OF COUNTERPROPOSAL

These Technical Comments support the reply to a counterproposal by Tidewater Communications. In the counterproposal proposed by Sinclair Communications it is proposed to add Channel 291A to Poquoson, Virginia as first service to that community. They request that WEXM, currently licensed to Exmore, Virginia be ordered to change community of license to Poquoson. In order to accomplish this change in the FM table of allotments several other allotment, changes must take place.

PROPOSED POQUOSON SITE

Sinclair shows by using a 0.49-kilometer rounding that a reference point can be found that will meet the spacing provisions of Section 73.207. We have plotted that reference point¹ on a USGS 7.5 minute topographic map. Exhibit #1 is a topographic showing the proposed site. Exhibit #2 shows the same information except with a larger scale giving greater detail. Both maps clearly show the Sinclair proposed site is off the shoreline in the water.

We have calculated that the Sinclair proposal at Poquoson will cover 15% of the entire Urbanized Area. It will also provide 56.2% coverage to the city of Newport News and 25% coverage to the city of Hampton all Virginia.

¹ Sinclair's Proposed Site for Channel 291A at Poquoson is North Latitude 37° 12' 49" and West Longitude 76° 25' 05".

WROX MOVE TO EXMORE

Another section of the Sinclair proposal is to move WROX on Channel 241B from Cape Charles, Virginia to Exmore, Virginia. Exmore currently receives service from WEXM. If WEXM moves to Poquoson, then Exmore no longer has local service. Therefore, Sinclair has proposed to re-locate WROX in nearby Cape Charles, Virginia to Exmore. This leaves Cape Charles with WAZP, a Class B1 educational station operating on Channel 214 with a power of 7.5 kW ERP and a antenna height above average terrain of 156 meters². WAZP provides service to 198,994 persons in an area of 4,324 sq km including water areas. WROX operates as a Class B station with a power of 23 kW at a height above average terrain of 220 meters. WROX provides service to 1,465,965 persons with a service area of 13,393 sq km. Exhibit #3 shows the WROX 54 dBu contours and the WAZP 57 dBu contours. This exhibit shows the large disparity between WROX and WAZP primary contours.

ADDITIONAL POPULATION DATA

We have determined that the population of the Norfolk-Virginia Beach-Newport News, Virginia Urbanized Area is 1,355,872 for 2000 and for 1990 the population of that area is 1,275,305. The city of Hampton has a population of 146,437 and the city of Newport News has a population of 180,150 persons utilizing the 2000 US Census.

Bromo Communications, Inc.



William G. Brown

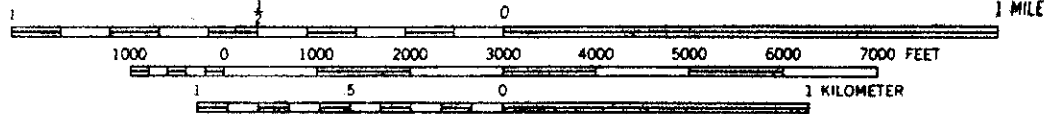
² WAZP also holds a construction permit (BPH-20010502AAR) that remains un-built. There is no apparent application to license this facility.

Poquoson Reference Site:
37° 12' 30" North Latitude
78° 25' 05" West Longitude
(NAD 27)

EXHIBIT #1
Bromo Communications, Inc.
Atlanta, Georgia
July 2002

Poquoson Reference Site
Offshore

SCALE 1:24,000



Poquoson Reference Site:
37° 12' 30" North Latitude
76° 25' 05" West Longitude
(NAD 27)

EXHIBIT #2
Bromo Communications, Inc.
Atlanta, Georgia
July 2002

Poquoson Reference Site
Offshore

Scale 1 : 6,400
1" = 533 ft

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Zoom Level: 15-0 Datum: NAD27



TN
MN
10.6°W

CERTIFICATE OF SERVICE

I, Kelly Waltersdorf, a legal assistant in the law offices of Smithwick & Belendiuk, P.C., certify that on July 16, 2002, copies of the foregoing Reply Comments on Counterproposal were sent via first class mail, postage pre-paid, to the following:

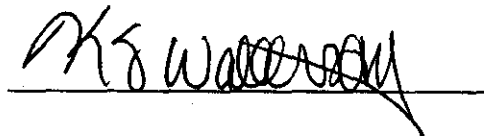
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* By hand

A handwritten signature in dark ink, appearing to read "K S Waltersdorf", is written over a horizontal line.

Kelly S. Waltersdorf

CERTIFICATE OF SERVICE

I, Kelly Waltersdorf, a legal assistant in the law offices of Smithwick & Belendiuk, P.C., certify that on July 29, 2002, copies of the foregoing Comment of Tidewater Communications, Inc. were sent via first class mail, postage pre-paid, to the following:

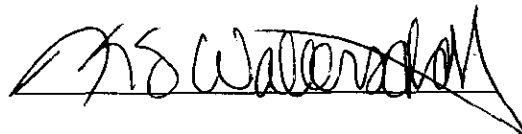
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* By hand

A handwritten signature in black ink, appearing to read "KS Waltersdorf", written over a horizontal line.

Kelly S. Waltersdorf